

**BEFORE THE PUBLIC SERVICE COMMISSION**  
**OF THE STATE OF DELAWARE**

IN THE MATTER OF THE APPLICATION OF           )  
ALBIREO ENERGY, LLC FOR A CERTIFICATE       )  
TO PROVIDE ELECTRIC SUPPLY SERVICES           ) PSC DOCKET NO. 19-9005  
WITHIN THE STATE OF DELAWARE                )  
(SUBMITTED MAY 6, 2019; FILED JULY 24,       )  
2019)

**ORDER NO. 9452**

**ELECTRIC SUPPLIER CERTIFICATE**

**AND NOW**, this 12<sup>th</sup> day of September 2019, the Delaware Public Service Commission (the “Commission”) determines and orders the following:

**WHEREAS**, on May 6, 2019, Albireo Energy, LLC (“Albireo” or the “Company”) submitted to the Commission an incomplete application<sup>1</sup> pursuant 26 *Del. C.* §§ 1001-1020, the Electric Utility Restructuring Act (the “Act”),<sup>2</sup> and 26 *Del. Admin. C.* § 3001, the Commission’s Rules for Certification and Regulation of Electric Suppliers (the “Supplier Rules”). This incomplete application requested certification for the Company to act as an electric broker that will utilize appropriate energy procurement strategies to meet the needs of small commercial, large commercial, and industrial customers in Delaware. This incomplete application was docketed as PSC Docket No. 19-9005; and

**WHEREAS**, over approximately a two-month period of time, the Commission Staff (“Staff”) sent to the Company two notices of deficiency and numerous emails in an attempt to correct the deficiencies in the incomplete application; and

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<sup>1</sup> Under Section 3001 of the Supplier Rules, applicants must submit certain required documents to complete their application. Albireo’s original submission failed to include all required documents.

<sup>2</sup> Unless otherwise noted, capitalized terms shall have the meanings ascribed to them in the Act and the Supplier Rules.

**WHEREAS**, on July 24, 2019, the Company submitted all of the required documents and thereby filed a complete application (the “Application”) pursuant to the Act and the Supplier Rules; and

**WHEREAS**, as more specifically detailed in its Memorandum to the Commission, Staff reports that the Application fulfills all of the requirements set forth in the Act and the Supplier Rules for an Electric Supplier Certificate to act as an electric broker. In particular, Staff reports that the Company has specifically presented evidence to support its financial, operational, managerial, and technical ability to provide Electric Supply Service within the State of Delaware. Therefore, Staff recommends that the Commission issue an Electric Supplier Certificate to authorize Albireo to broker Electric Supply Services in the State of Delaware;

**NOW, THEREFORE, IT IS ORDERED BY THE AFFIRMATIVE  
VOTE OF NOT FEWER THAN THREE COMMISSIONERS:**

1. Albireo is hereby granted a certificate to do business and operate as an Electric Supplier within the State of Delaware. Under this Electric Supplier Certificate, the Company is authorized to broker Electric Supply Service within the State of Delaware consistent with and in accordance with the Act and the Supplier Rules.

2. Albireo is hereby notified that a violation of any applicable order, statute, regulation, rule, or other controlling authority may be enforced by sanctions permitted by §§ 1012(a) and 1019 of the Act and § 3001-10.2 of the Supplier Rules.

3. Albireo shall file such reports and pay such fees and assessments as may be required or imposed by §§ 114, 115, § 1012(c) (2) of the Act, and §§ 3001-3.9 and 3.10 of the Supplier Rules.

4. Albireo consents to the jurisdiction of the courts of the State of Delaware for all acts or omissions related to its offering of Electric Supply Services in this State.

5. Albireo is hereby placed on notice that the costs of this proceeding will be charged to it pursuant to § 114(b) (1).

6. The Commission reserves the jurisdiction and authority to enter such further orders in this matter as may be deemed necessary or proper.

**BY ORDER OF THE COMMISSION:**

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Chairman

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Commissioner

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Commissioner

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Commissioner

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Commissioner

ATTEST:

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Secretary